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18 REED, and COASTAL PROTECTION  
RANGERS, INC.  
19

20 **UNITED STATES DISTRICT COURT**  
21 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**  
22

23 CORY SPENCER, an individual;  
24 DIANA MILENA REED, an  
individual; and COASTAL  
25 PROTECTION RANGERS, INC., a  
26 California non-profit public benefit  
corporation,

27 Plaintiffs,  
28

CASE NO. 2:16-cv-02129-SJO (RAOx)

**DECLARATION OF JASON  
GERSCH IN SUPPORT OF  
PLAINTIFFS' MOTION FOR CLASS  
CERTIFICATION**

Judge: Hon. S. James Otero  
Date: February 21, 2017  
Time: 10:00 a.m.  
Crtrm.: 10C

1  
2 v.

Complaint Filed: March 29, 2016  
Trial Date: November 7, 2017

3 LUNADA BAY BOYS; THE  
4 INDIVIDUAL MEMBERS OF THE  
5 LUNADA BAY BOYS, including but  
6 not limited to SANG LEE, BRANT  
7 BLAKEMAN, ALAN JOHNSTON  
8 AKA JALIAN JOHNSTON,  
9 MICHAEL RAE PAPAYANS,  
10 ANGELO FERRARA, FRANK  
11 FERRARA, CHARLIE FERRARA,  
12 and N. F.; CITY OF PALOS  
13 VERDES ESTATES; CHIEF OF  
14 POLICE JEFF KEPLEY, in his  
15 representative capacity; and DOES  
16 1-10,

17 Defendants.

18 I, Jason Gersch, declare as follows:

19 1. I live in San Pedro with my wife and two children. I work for the  
20 City of Torrance as a senior welder. I have personal knowledge of the facts  
21 set forth herein, except as to those stated on information and belief and, as  
22 to those, I am informed and believe them to be true. If called as a witness, I  
23 could and would competently testify to the matters stated herein.

24 2. I learned to surf in Torrance, California. I graduated from North  
25 High School in Torrance in 1995. Growing up, I primarily surfed an area  
26 called "the Avenues" in Redondo Beach. As my surfing progressed, I  
27 started to hear about different spots in Palos Verdes and how good they  
28 were. We could see these places from where we surfed in Torrance and  
Redondo Beach. I also used to surf 2<sup>nd</sup> street in Hermosa Beach. I heard  
that Lunada Bay was localized and that outsiders should avoid going there.  
Visitors could expect taunts, physical threats, dangerous activity in the

1 water, and/or damage to your property.

2 3. Around 1992 or 1993, my friend Sean and I decided to check out  
3 Lunada Bay. We drove to the Bay and parked on Paseo Del Mar. There  
4 was no surf so we left without incident.

5 4. On another occasion around the winter of 1993, my friend Sean  
6 and I went to check the surf at Lunda Bay. We parked on Paseo Del Mar,  
7 but far down the street from what is known as the "goat trail." We were  
8 worried about the car being vandalized so we took care to park away from  
9 the trails leading to the beach. Attached as **Exhibit 1** is true and correct  
10 copy of an aerial photograph of the area. I have put an "X" where we  
11 generally parked. On this particular day, we were approached by two local  
12 Bay Boys named Peter McCollum and Brant Blakeman. Attached as  
13 **Exhibit 2** is a true and correct photograph of Mr. Blakeman. He is the  
14 individual holding the camera. Attached as **Exhibit 3** is a photo of Mr.  
15 McCullum.

16 5. A few months later, my friends Sean, Matt and I attempted to  
17 surf Lunada Bay. We parked on Paseo Del Mar and got into our wetsuits on  
18 the top of the bluff and proceeded down the goat trail. About half way down,  
19 the locals started throwing rocks and dirt clods at us. We attempted to  
20 protect our heads by using our surfboards as shields. Fearing for our safety,  
21 we turned around and headed back to the car. The people who were  
22 throwing the rocks and dirt clods were gone by the time we reached the car.  
23 At this point, I was done trying to surf Lunada Bay. It was not worth the  
24 hassle.

25 6. On November 5, 1995, I attended an event organized by Geoff  
26 Hagins called "Take Back Our Public Beaches Day -- Surf Lunada Bay  
27 Peaceful Protest," a public protest of localism in Palos Verdes. I met Geoff  
28 that summer. He was upset because the PVE police never responded to the

1 localism issue. He felt the police were corrupt. The focus of the protest was  
2 to demand equal access for everyone who wanted to surf Lunada Bay.  
3 There was a large turnout; somewhere around a hundred people. However,  
4 someone called in a bomb threat and the police made the protestors and  
5 other spectators on the shoreline leave the beach. Attached as **Exhibit 4** to  
6 this declaration is a true and correct screen shot from a local television news  
7 cast where I can be seen. I was interviewed by several news stations and  
8 was vocal about my experiences with the Lunada Bay Locals and the PVE  
9 Police.

10 7. One evening in the summer 1996, I was checking the surf with  
11 some friends at the top of Bluff Cove in Palos Verdes Estates and we were  
12 approached by a PVE police officer. It was around 5:00 pm. The officer  
13 asked what we were doing. I responded by stating "checking the surf," and  
14 the officer demanded to see our drivers' licenses. The officer then stated  
15 "you are a long way from home" and "it's getting late so you need to leave."

16 8. After I appeared on television at another Lunada Bay protest  
17 organized by Geoff Hagins in 1996, I was detained by PVE police while  
18 attending a house party in Lunada Bay. I think this was in the summer of  
19 1996. I was held at the Police Station but not charged. I was released after  
20 a couple hours and told him to "walk towards Torrance." I was not permitted  
21 to use a phone.

22 9. Having experienced localism at Lunada Bay over the years, I am  
23 frustrated and discouraged by the way the City of Palos Verdes Estates and  
24 the police have handled it. Until just recently, City officials have publicly  
25 stated that the Bay Boys and localism were an "urban legend." I would like  
26 to be able to visit Lunada Bay to surf without fear of physical and verbal  
27 attack or the hassle of dealing with the Bay Boy bullies. I would like to be  
28 able to visit the Lunada Bay bluff, shoreline, and water to explore and surf

1 without fear of having my car vandalized. I want the Bay Boys and other  
2 locals to be barred from using this beach for sufficient time to change  
3 attitudes and to give access to the beach back to the public.

4 10. I want the City of Palos Verdes Estates to enforce its ordinances  
5 fairly and for it to provide signage so people will know Lunada Bay is a  
6 public beach. I want the City of Palos Verdes Estates to improve amenities  
7 in a fashion that makes it safer, provides improved access to all beachgoers,  
8 and is both consistent with this rural spot, the California Coastal Act, and  
9 state and federal law. For example, access trails to the shoreline should be  
10 clearly marked to make it safer for people visiting to navigate down to the  
11 shoreline. And no person should be allowed to block the access trails or to  
12 intimidate visitors on the bluff top, on the shoreline, or in the water. I want  
13 Palos Verdes Estates police to be available to help when people are  
14 unlawfully excluded. In short, I want to be able to visit Lunada Bay without  
15 being harassed. And if I am harassed, I want the City of Palos Verdes  
16 Estates police to take my complaints seriously.

17 I declare under penalty of perjury under the laws of the United States  
18 of America that the foregoing is true and correct.

19 Executed in Torrance, California on December 28, 2016.

20  
21   
22 JASON GERSCH  
23  
24  
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26  
27  
28

# Exhibit 1





# Exhibit 2





# Exhibit 3

ΔΠΕΛ	BIT 110
Deponent	<i>[Signature]</i>
Date	12/15/16 Rpt. <i>[Signature]</i>
www.DLPORCOX.COM	



# Exhibit 4





LUNADA BAY in PALOS VERDES CALIF 1995/96 Surf localism News  
Stories